SUSSEX COURTHOUSE
ARTICLE

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Sussex Courthouse

Our Times Richmond Times-Dispatch, Sunday, August 9, 1942

Self-Government at Sussex Courthouse

By Elwood Street

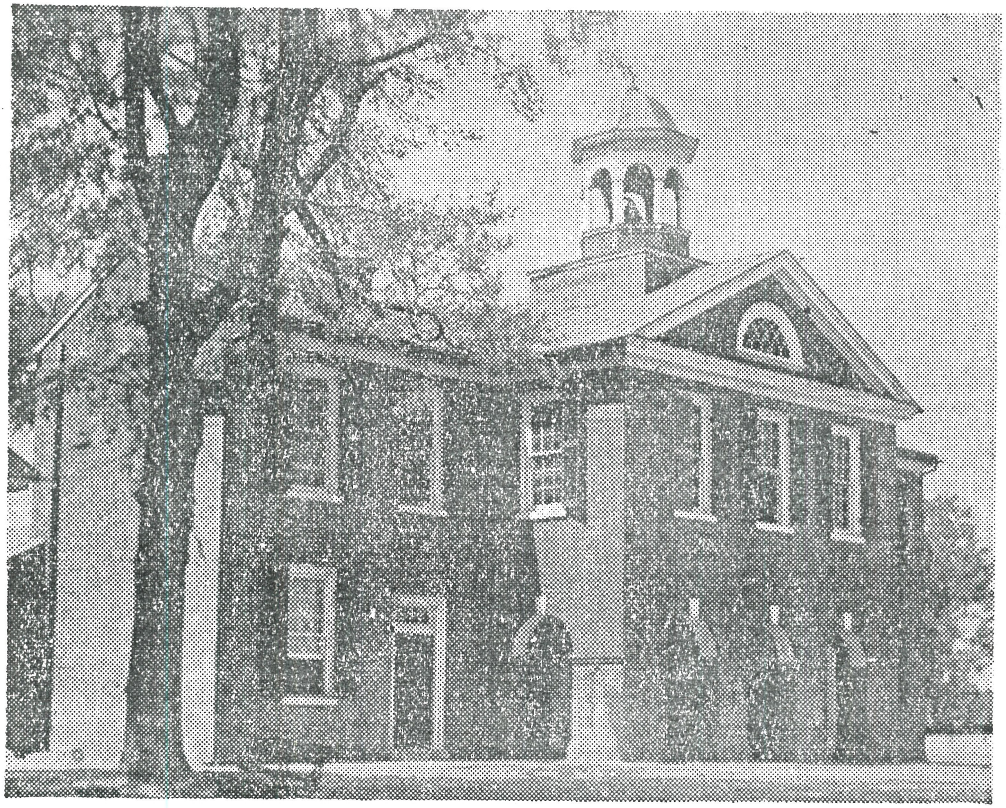
Photographs by the Author

THE growth of local self-government in Virginia is illustrated well by the old courthouse in Sussex, the county seat of Sussex County.

Eternal principle of self-government—traveling from England as a spiritual stowaway in Captain Christopher Newport's pioneer shiploads of settlers and supplies—early manifested in that First James City Incorporation of which Sussex-to-be was part.

That same principle was expressed when in 1634 James City Shire—established as one of the eight original shires or counties to be governed in all respects as English shires—included south of the James River a great territory which slanted all the way to the hazy North Carolina boundary and encompassed present Surry and Sussex Counties as well as parts of present Greensville and Brunswick Counties. Again self-government was demonstrated as Englishmen, pushing south of the James, drove back the Indians and the wilderness, demanded local judiciary and government more accessible and intimate than that to be derived from James City north of the broad James. In 1652 they extracted from the General Assembly creation of a Surry County which included all the old James City County area south of the James.

A principle further fermenting and bubbling over its county-container as settlers, both English and colony-born, occupied more and more completely by patent, purchase and rental, these fertile and Summer-steaming swamps and woodlands to such extent that government and judgment from Surry County Courthouse north of the Blackwater Swamp became more and more cumbersome in the days of plodding travel by foot, horse and ox team. So, in 1733 a closer southern boundary running eastward along the Nottoway River, then dropping perpendicularly to the Meherrin River, and then following its sluggish course, was established. Thereby a new Brunswick County, later to become in part Greensville County, was interposed between the still spacious Surry County and the North Carolina line so recently surveyed in 1728-29 by Colonel William



When the county's affairs outgrew the old courthouse, it was replaced in 1828 by the one above.

on the old Halifax Road from Petersburg to Halifax, North Carolina, British armies passed. Down this road on May 11, 1781, marched Colonel Banastre Tarleton, raiding cavalry leader, to join his superior, Lord Cornwallis. And up this road at the same time Cornwallis led his army from Halifax toward Petersburg. At Stony Creek, only seven miles west of Sussex Courthouse, on May 19, 1781, Cornwallis joined forces with General Benedict Arnold, southward bound from Petersburg. From this junction, Cornwallis' augmented army marched north, crossed the James, and then moved eastward, to his surrender at Yorktown in October. The British stole horses, cattle and grain from the people of

8, 1864. Later in the year, maneuvering forces, both Federal and Confederate, camped here. Death and devastation swept up and down the old Halifax Road and its vicinity, but left untouched the quiet courthouse green.

Peaceful though those days of War Between the States were for Sussex Courthouse, they were sad ones for the county. The memory of those men of Sussex who went to the war and of the many who tragically did not return, is perpetuated in the Confederate monument which stands, a square shaft topped by a Confederate infantryman, facing south, in the northeast corner of the courthouse green, close to its

Outside the loggia, a door opens into the left wing. On the wall beside the door is a painted metal sign which announces "Sussex County Public Welfare Department." Inside is Miss Mildred Cox, trim and efficient-lookink superintendent of public welfare, with her office secretary.

There's happily no trace here of old-time methods of caring for the poor in Sussex County. In 1828, the same year that the present courthouse was completed, the county built a poorhouse for the average of 75 paupers (including two free Negroes) to whom the County Overseers of the Poor had been doling out sparse and somewhat indiscriminate relief. The county clerk reported in 1828 that the new poorhouse better "accommodated" the paupers. Now, the well-trained county Superintendent of Public Welfare, with the advice of an unpaid citizen Board of Public Welfare, cares for the county poor in their own homes, according to their needs, and, through skilled use of all available resources, helps to get them back onto their feet, independent and self-supporting, whenever possible.

In the shallow right wing's first floor is the office of the County Selective Service Board. In peacetime it is the office of the County Board of Supervisors. Now, says the girl selective service clerk, the supervisors "mostly meet around from pillar to post."

Behind the courthouse, and to its left, stands the county jail, of sturdy brick construction. Its square right section, three barred windows wide, is two stories high. Its left wing is one story high. Between is a one-story entrance section, with steel door sheltered by shingled canopy. Against the left end wall is a great pile of coal, in store of the Winter to follow these hot August days. The main section of the jail was built in 1910, replacing an ancient building of wood with heavy hewn timber. The one-story wing was added 10 years ago.

In spite of its bars, the jail evidently is not an entirely unhappy place. Songs, guitar music and loud talk pour out from its open windows, and through the middle one of the right wing, on the ground-floor level, a white-shirted Negro carries on a cheerful conversation with one of the prisoners

Byrd.

Finally, in 1753, as recognition of population-growth and of the barrier of the Blackwater Swamp (or river as it now is known) the General Assembly ordered the establishment of Sussex County out of the Surry County territory south of Blackwater.

"Sussex County," so-named if for no other reason that that like its namesake in Mother England, it lay south of Surry County.

Then came that principle of local self-government into active operation. Principle eternally growing, dividing, self-regenerating, on this congenial Virginia soil. Principle operating in the establishment of all Virginia counties, as they proliferated from the culture of local self-government planted in the test-tube of American democracy on the humid island of Jamestown.

Justices Commissioned

Gentlemen justices—commissioned by [illegible] Governor Robert Dinwiddie from [illegible] spreading estates of the new Sussex County—met as county court, in January, 1754, elected clerk, sheriff and presiding justice. Thereupon, they set about their still-continuing-and-growing business of governance, through themselves and their unbroken series of successors, of their fellow citizens in their interrelationships over all these 515 square miles.

For adequate judicial and governmental service to the populace of this far-spreading area, a central county seat evidently was desirable. Court met for the time being at the home of Colonel Benjamin Harrison. Means for incarcerating the culprits who were to appear before the court was promptly established by order that "an outhouse of Colonel Benjamin Harrison near the courthouse (called the pantry) be made use of by the sheriff as a common goal for this county."

General conveniences of the courthouse-to-be was assured when, at meeting on the second Monday in April, the court instructed Robert Jones, Jr., surveyor, to locate the center of the county in order that the seat of justice and administration might be there established.

Surveyor Jones proceeded promptly with his official duties and soon discovered that his own farm at Beddingsfield Oldfield was within half a mile of the sought-of central point. He offered to convey to the county court two acres in trust, in perpetuity, for use as the county seat, and to erect at his own expense a courthouse, prison pillory and stocks. The offer was as promptly accepted.

The new courthouse was completed in 1756, and from this seat county government has proceeded ever since. About the county's two acres grew up a little town, first called Sussex Courthouse; now shortened to Sussex County, but left untouched its quarter-century-old seat of government. Not even freedom-making war disturbed the continually grinding mill of local, people's government.

For 47 years after Cornwallis' nearby passage, the little courthouse served the needs of the county while it grew and throve as a unit of freedom-inspired Commonwealth and nation. True, accumulating records of deeds, wills, marriages, trials, and court action overflowed the courthouse and had to be stored for a time in the nearby Dillard House (built in 1802 by C. H. Bailey), until a little brick office could be built across the road for the clerks. But in the aging courthouse continued to sit and to transact its business of local democracy.

Courthouse Too Cramped

Sat, until 1825, when sitting, and all the county business that went with it, seemed unduly cramped and inappropriately housed; and the county court ordered that a new courthouse be erected. It was completed in 1828. In its clerk's office still is preserved the old court order of three years earlier:

"Proposals will be received until the first Thursday in October next (Court Day) for building a courthouse for the County of Sussex . . . the center building to be 52 by 28 feet from their foundation. The whole building to be of well-burnt hard bricks. The walls of the center building to be two and a half bricks thick to the floor. All the rooms to be plastered and whitewashed. The eves (sic) to project from 12" to 18"; the cornice to be furnished in the usual style; and the roofs to be covered over with thick slate of the very best quality. Venetian shutters with hinges, belts and kitches to all windows. Signed J. Cargill, Wm. Thornton, Joseph Mason, Wm. Parham, George Blow."

This courthouse, now 114 years old, still stands on its two acres. They, it, and its records were undisturbed during the War Between the States. The old Halifax Road was continually used by the Confederate armies, and during 1864 and early 1865 along it Federal troops also marched for their envelopment of Petersburg. In 1864, supplies for Lee's army were carted to Petersburg from the old Weldon Railroad Station at nearby Stony Creek. At this place, Wilson, Federal cavalryman, returning from a raid on Burkeville, fought Lee's cavalry, June 28 and 29, 1864. The little town was raided by Union cavalry under Gregg, Dec. 1, 1864. In the southern part of the county, on present USS Route 301, is Jarratt. Nearby, on the old Weldon Railroad, now merged in the Atlantic Coast Line, was a depot, Jarratt's Station. It was

margin and to the highway.

That green is just south of Virginia Route 40, on the west side of Route 308 at its junction with Route 634, which comes in from Route 40. The three roads form a leafy triangle.

Head of Governmental Giant

THE courthouse green is like the head of a governmental giant set upon the shoulders of the peaceful countryside. At the back of this governmental head is the hirsute covering of pinewoods.

Around the other three sides of the green hangs a slight necklace of diverse structures, strung together on the slender chain of judicial and administrative dependency.

Opposite the green, on the east side of the road, a corn field. A white frame store, with a little annex on its right for the post office. A tiny old red-brick, one-story building once used as the clerk's office, now vacant. A one-story, white-frame filling station in the angle of Routes 308 and 634.

To the left of the green, a little, white-frame lawyer's office. Beyond it, a white-frame, long-porched general store.

To the right of the courthouse square, facing it, behind a trim, white picket fence, a long white-frame house, with porch across the front and east end and with a high chimney on the outside of the west end and two similar chimneys in the east end and its "L"; built about 1810; residence now of M. P. Price. Beyond, barns, pig pens, peanut fields and distance woods, symbolic of leading products of the county.

Within this string of structural beads is the courthouse square. Its green lawn is bordered by a low, rounded top brick wall.

In the center of the green stands the two-story, red-brick courthouse. On either side of the center portion is a wing, two generous windows wide. From the center of the front, the main original structure projects, by the depth of a first-floor loggia. It has three arches across the front, and one on each end. On the second floor are small-paned, double-sashed windows which correspond to the arched openings below. Above, in the gable-end, it is a plain-corniced pediment. In its center is a semicircular fan-window. Behind, in the peak of the slate-covered roof, is a belfry with six white-framed wooden arches capped by a curving copper head.

On the front wall under the loggia is a bulletin board. In addition to the usual legal and fiscal notices, it bears poster of a revival meeting, soon to be held in the county.

The central door opens into a front hall. From it winding stairs lead to a hall above the loggia. Through the ceiling hangs the bell-rope from the cupola. From the passageway, doors open into the rear (in-

prisoners.

To the left of the courthouse is the one-story, brick, clerk's office, built in 1924. Four white stone pillars stand against the front wall. They frame the door and the balancing windows, and support the pediment with its wide white cornices and its central lunette.

Farmer Turned Clerk

INSIDE, to the left of the door, is the little, square public office of County Clerk Jesse Hargrave. He is stout, bald, with a fringe of gray hair, gray eyes and glasses. He says, "I've been clerk for 27 years. I was a farmer when they come and got me.

"Most of the people of Sussex County live and work on the land. Over a third of our county is in woodland. Its chief industry is lumbering. Our main farm products are peanuts, hogs and cotton."

On the wall is a framed commission of 1754, [illegible] by Governor Robert Dinwiddie and designating cer[illegible]icers to "hold court in an alleged Negro plot and conspiracy to murder another Negro."

Behind these little front offices is the record room, which fills the balance of the little building. Records here are complete from the county's establishment in 1754.

Among the most interesting records are those pertaining to the lands of William Mary College. It received, as part of its grant of establishment from King William and Queen Mary in 1693, an area of 10,000 acres in Pamunkey Neck on the upper York River and another equal grant below Blackwater Swamp. The 10,000 acres in what was to become Sussex County lay in two tracts—on the Coppahannock, in the northern part of the county, and on Joseph Swamp, in western Sussex. These lands were for many years released to settlers, but in 1801, the college began to sell the land. The final plot was sold just before the War Between the States. All the deeds are recorded in the clerk's office.

And so the story of Sussex County Courthouse.

It's more than the story of a series of governmental structure, however. In that long stretch of county life, and the earlier years of participation in larger governmental units, is typified the whole growth of democratic local government in Virginia and in this country and the operation of the life-principle of self-determination of peoples.

(This article, dated as of August, 1941, when the author, on vacation, visited and photographed Virginia county courthouses. Local material supplemented by Division of History and Archeology, Virginia Conservation Commission; "Sussex County, A Tale of Three Centuries," compiled by workers of the Writers' Program of the Work Projects Administration in the State of Virginia; and

he test-tube of American democracy on
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New Oath to State

THE first courthouse was the scene of the reaffirmation of the principle of local self-government as part of national self-government when, on July 18, 1776, a fortnight after the Declaration of Independence, the county court re-established itself as part of the new Commonwealth of Virginia. To it the county official swore allegiance for the first time; thus ending the long previous succession of oaths to their Majesties of Great Britain and Ireland.

This action, so fundamentally decisive, is still preserved in the present clerk's office,

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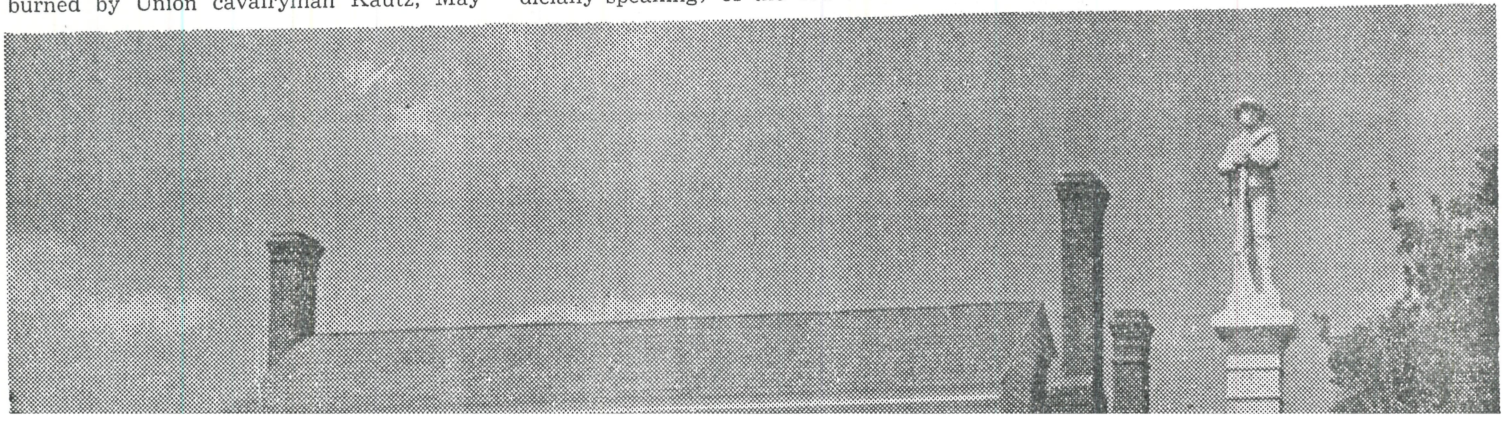

in these terms:

"At a Court held for Sussex County, the 18th day of July, 1776, being the first court held for this County under the glorious Independency of American Liberty. Present: David Mason, Henry Gee, Michael Blow, Richard Parker, William Blunt-Gents Justices. The several magistrates present as above took the oath to be true and faithful to the Commonwealth of Virginia, enjoined to be taken by a late ordinance of Convention.

"William Claiborne, Jr., clerk of this court being absent, ordered that Augustine Claiborne be appointed deputy clerk of this court pro tempore. . .

"James Jones, sheriff; Henry Tazewell and Littleburry Mason, attorneys at law; and William Blunt, surveyor of lands, severally appeared and took the oath to the Commonwealth as also did Nathaniel Dobie and Robert Magee, constable, also Henry Gee as vestryman of Albemarle Parish took the said oath."

The little county seat and its records were not disturbe during the Revolution, even though far away, to the west,

Old house facing the green at Sussex Courthouse and Confederate monument.